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ONE HUNDREDTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT OPERATIONS

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WASHINGTON, DC 20515

February 9, 1988

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OCA FILE *CHC/Leq*
Sec Misc

The Honorable William H. Webster
 Director
 Central Intelligence Agency
 Washington, D.C. 20505

Dear Mr. Webster:

On December 22, 1987, P.L. 100-202 was enacted. That law provides in Section 630 that "No funds appropriated in this or any other Act for fiscal year 1988 may be used to implement or enforce the agreements in Standard Forms 189 and 4193 of the Government or any other nondisclosure policy, form, or agreement" which runs afoul of certain specified criteria.

It has come to my attention that despite this law, Standard Forms 189, its counterpart for civilian contractors 189A, and 4193 are being used by the Administration. It has been reported to me that employees, and contractor employees, of the Federal government have been required to sign these forms since the law's enactment.

In order that the House Government Operations Committee can effectively oversee the enforcement of and compliance with this law, I request that you advise me of your agency's implementation of this statute. Specifically, what has your agency done to secure compliance with Section 603 of P.L. 100-202? How has your agency notified its employees and contractor employees of this law and your agency's compliance procedures. If signatures were obtained on these contracts, or other prohibited ones, since enactment, how has your agency remedied this violation? Please provide copies of all orders, directives, instructions, memoranda that your agency has created, or received, pertaining to this law.

Congress passed this moratorium on nondisclosure agreements because they impinge on the First Amendment rights and other freedoms of our citizens. Because of the seriousness of this issue, I would like to have your response to this inquiry no later than February 19, 1988.

With every good wish, I am

Sincerely,

Jack Brooks
 JACK BROOKS
 Chairman

DCI
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